

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**GARY DON KIRKLAND (15)**

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**CRIMINAL ACTION NO. 6:07cr82**

**ORDER**

The above entitled and numbered criminal action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b)(3). The Report of the Magistrate Judge which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The parties have made no objections to the Report and Recommendation.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. It is therefore ORDERED that the Defendant's plea of guilty is accepted and approved by the Court. Accordingly, the Court finds the Defendant guilty of Count One of the Information. Finally, the plea agreement is approved conditioned upon a review of the presentence report.

**So ORDERED and SIGNED this 14th day of October, 2008.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**